

# Childcare Intervention and Support Strategy

## **Enfield's Early Years Intervention and Support Strategy**

This Strategy sets out the process through which the Local Authority (LA) works with its early years Private, Voluntary and Independent (PVI) group provision, Nurseries, Pre-schools, Childcare on Domestic, Childminders, Independent Nurseries and Out of School provision.

Those providers offering the funding entitlement for two, three and four year olds form the LA's 'Directory of Providers'. Enfield's 'Informed Families' shares this Directory with the public regarding funded and non-funded early education and childcare provision. The Strategy aims to ensure that all providers continue to offer the highest quality education and care and the best outcomes for our children and families. This supports both children who are receiving funded early education and those who are funded by their own families.

We believe this Strategy should be a transparent shared process, where those involved have a mutual trust and a shared aim. The Strategy will enable us to work in partnership to identify and agree the needs of individual early year's providers and to support them to deliver high quality provision for young children in Enfield.

Through the use of this Strategy the LA will:

- act as supportive and challenging partners
- identify the best solutions to agreed needs – interventions that work
- ensure Elected Members have a good understanding of the strengths and weaknesses of Enfield early years settings
- contribute to early years settings' self-knowledge and aid their preparation for external inspection by Ofsted
- meet the LA's statutory duty under Sections 6, 12 and 13 of the Childcare Act 2006 and sections 7 7A, 9A and 12 of the Childcare and Families Act 2014, and the Small Business, Enterprise and Employment Act 2015 in respect of Early education and childcare Statutory Guidance 2017, Early years entitlement: Operational guidance 2018, Model Agreement 2018 published by the Department for Education.

## 1. Introduction

A growing body of evidence shows that high quality early years provision is the key to improving life-long outcomes for children and their families. Research shows that those children from the most disadvantaged families who access high quality early years provision, combined with a good home learning environment, see real developmental benefits. For this reason, Enfield is committed to ensuring that all children are able to take up their entitlement to funded early education in a high quality setting. The statutory guidance from the Department for Education states “All children who meet the prescribed criteria are able to take up high quality early education, regardless of their parents’ ability to pay – benefiting their social, physical and mental development and helping to prepare them for school. Evidence shows that regular, high quality early education has lasting benefits for all children”.

Since 2014 Ofsted has been the sole arbiter of quality which has enabled local authorities to focus on ensuring all eligible children are able to take up their early education place and on supporting those early education providers with an outcome of less than ‘Good’ to take steps to improve the quality of their provision.

The LA is required to secure information, advice and training for all childcare providers in Enfield on the following:

- meeting the requirements of the Early Years Foundation Stage
- meeting the needs of children with special educational needs and disabilities, vulnerable and disadvantaged children
- effective safeguarding and child protection

and additionally to:

- secure information, advice and guidance for providers judged **Good** or **Outstanding** by Ofsted.
- secure information, advice and training to meet the needs of providers judged less than **Good** by Ofsted.
- ensure that it is voluntary for providers judged **Good** or **Outstanding** by Ofsted to take up training delivered directly or commissioned by the LA. Participation in LA training should not be a condition for receiving funding to deliver early education places for those providers judged **Good** or **Outstanding** by Ofsted.

## 2. Statutory Framework

### Funding

The legislation for the funded Entitlement for two, three and four year olds sets out to:

Secure quality, local authorities are required by legislation to deliver funded early education through providers who are:

- registered with Ofsted as early years providers
- a childminder registered with Ofsted
- a childminder registered with a childminder agency which is registered with Ofsted
- schools taking children age two and over and therefore exempt from registration with Ofsted as early years providers.

LAs are required to

- Fund places for two, three and four year old children at any provider judged '**Met**' **Good** or **Outstanding** by Ofsted or at any childminder registered with a childminder agency judged **Good** or **Outstanding** by Ofsted if a parent wants their child to take up their early education place at that provider and the provider is willing to accept the LA's funding terms and any other LA funding requirements.
- The LA will not undertake any assessment of the quality of the provider, but instead rely solely on the Ofsted inspection judgement of the provider or the childminder agency as the benchmark of quality. **However if there is a safeguarding concern or a breach of regulations the LA may impose additional assessments to meet its duty of care.**
- Fund places for three and four year old children at any provider judged as **Requires Improvement** by Ofsted or at any childminder registered with a childminder agency judged as **Requires Improvement** by Ofsted if a parent wants their child to take up their early education place at that provider and the provider is willing to accept the LA funding terms and any other LA requirements.
- Fund places for two, three and four year old children at new providers registered with Ofsted until the provider's first full Ofsted inspection judgement is published or at a childminder registered with an agency until the agency's first full Ofsted inspection judgement is published if a parent wants their child to take up their early education place at that provider and the provider is willing to accept the local authority funding terms and any other LA requirements.
- **A safeguarding concern or a breach of regulations may result in funding being withdrawn from the setting.**

In securing the quality for all funded early education, LAs are required by legislation to deliver quality funded early education only through early years providers who deliver the Early Years Foundation Stage (EYFS). Providers must be registered with Ofsted/Child-minding agencies to receive funding. Schools providing funded places for children from the age of two years and over are exempt from registration with Ofsted as early year's providers.

To secure quality the Government directs that LAs should:

- Only fund two-year-old children and the additional 15 hours for 3 and 4 year olds in provision judged as **Requires Improvement** where there is insufficient, accessible **Good** or **Outstanding** provision.
- Secure alternative provision and withdraw funding, as soon as is practicable, when Ofsted publish an inspection judgement of **Inadequate/Not Met**, or **Enforcement Actions** are issued, taking into account the continuity of care for children who are already receiving their funded entitlement.

When deciding on whether to withdraw funding the LA will consider any information published by Ofsted about the provider including any recent history about the provision at a particular address. The Funded Entitlement agreement and this strategy will apply if a provider is operating from the same address and has been judged **Inadequate/Not Met** or **Requires Improvement** for one of its settings.

### **Data Protection and the General Data Protection Regulation (GDPR) 2018**

As a Data Controller, for the purposes of the General Data Protection Regulation we collect personal information from you, your staff, children and their families, and may receive information about your provision from other agencies. We hold this personal data to:

- support children's learning;
- assess the quality of your provision.
- meet legislation requirements

Information about your provision that we hold includes your contact details, children's hours of attendance, information and personal characteristics such as ethnic group and special educational needs.

We will comply with the General Data Protection Regulations whenever we request, hold and use personal data. The Early Years' School and Early Years Improvement Service records and monitors all visits, telephone calls, emails and text messages; these will be logged on the Local Authority's secure data base and information will be shared with internal and external agencies when necessary, for example when there are safeguarding concerns.

The School & Early Years Improvement Service uses information about children, young people and providers to enable us to carry out our legal duties and specific functions for which we are responsible. We also use this personal data to derive statistics which inform decisions we make (e.g.) regarding the funding of providers and schools.

At present, the DfE may share individual level personal data that we supply to them with a third party. This will only take place where legislation allows it to do so and is in compliance with the GDPR.

Decisions on whether the DfE release this personal data to third parties are subject to a robust approval process and are based on a detailed assessment of who is requesting the data, the purpose for which it is required, the level and sensitivity of data requested and the arrangements in place to store and handle the data. To be granted access to pupil level data, requestors must comply with strict terms and conditions covering the confidentiality and handling of data, security arrangements and retention and use of the data.

### **Informing Elected Members**

LAs are required to report annually to elect council members on how they are meeting their duty to secure sufficient childcare, and make this report available and accessible to parents. LAs are responsible for determining the appropriate level of detail in their report, geographical division and date of publication. The report will include:

- a specific reference to how they are ensuring there is sufficient childcare available to meet the needs of: disabled children; children from families in receipt of the childcare element of Working Tax Credit or Universal Credit; children with parents who work irregular hours; children aged two, three and four taking up early education places; school age children; and children needing holiday care;
- information about the supply of and demand for childcare for particular age ranges of children, and the affordability, accessibility and quality of provision; and
- details of how any gaps in childcare provision will be addressed.

This report, once approved, will be made available to parents, providers and other interested parties via the Council's website

### **Early Years Foundation Stage Profile**

The Statutory Framework for the EYFS requires that in the final term of the year in which the child reaches age five, and no later than 30 June in that term, the EYFS Profile (EYFSP) must be completed for each child. The Profile provides parents and carers, practitioners and teachers with a well-rounded picture of a child's knowledge, understanding and abilities and their progress against expected levels and their readiness for Year 1.

In addition, the EYFS profile provides an accurate national data set relating to levels of child development at the end of the EYFS. The DfE uses this to monitor changes in levels of children's development and their readiness for the next phase of their education, both nationally and locally.

Each child's level of development must be assessed against the early learning goals. Practitioners must indicate whether children are meeting expected levels of development or if they are exceeding expected levels or not yet reaching expected levels (emerging)

Early years providers must report EYFSP results for eligible children to the LA. The LA has a duty to return the data to the STA (Standards and Testing Agency). Individual school/setting data is not published.

The LA is responsible for providing a robust moderation process so that practitioner judgements are evaluated in line with statutory requirements. Therefore providers with eligible children must permit the LA Advisor/Moderator to enter their premises to observe the completion of the EYFSP and to examine and take copies of documents and evidence relating to the Profile and assessments.

Moderation of the EYFS Profile is a sampling process – unlike testing – and so it is not a method for checking each child’s attainment. LA moderation visits check practitioners’ ability to make accurate assessments and apply them consistently. Moderation involves both internal moderation activities and professional discussion between moderators and practitioners. The purpose is to ensure that practitioners’ judgements are consistent with national standards and the assessment process is reliable, accurate and secure.

### **3. Contract with the Local Authority**

All Ofsted registered early years providers must enter into a contract and sign a funding agreement with the LA to provide funded early education for two, three and four year old children via the provider portal. All funding will be administered in accordance with the Government guidance.

#### **Enfield’s ‘Guide to the Free Entitlement’**

This guide outlines the local requirements of the funding agreement and, by signing the contract mentioned above, early years providers are making a commitment to:

- abide by the terms and conditions of the Funded Entitlement (see Section 2 above)
- deliver high quality provision
- permit LA advisors/moderators to support the completion of the EYFS Profile and to take copies of documents and evidence relating to the Profile, assessments, tracking and any other relevant evidence.
- receive funding which is administered via the online Provider Portal;
- submit an annual census, EYPP, head count data and existing funded children on a termly basis via the secure Portal.

### **Intervention and Support process for Early Years Providers**

#### **The Childcare Team**

The School and Early Years Improvement Service maintains a team of specialist staff to support all providers with the delivery of the Early Years Foundation Stage, business development, workforce, leadership and management and services for children with Special Educational Needs and Disabilities.

As part of the wider service the Childcare Team provides support for the delivery of all aspects of the Early Years Foundation Stage for every provider. Each provider is assigned a named Childcare advisor who will work with them to identify strengths and any areas for development and to support the continuous improvement of the provision. Larger providers and/or providers who have been judged as **Requires Improvement/Inadequate/Not Met** or have been issued with **Enforcement actions** may be allocated two Advisors/Childminding or Out of School advisors from the team.

A provider's Ofsted inspection grade will determine the level of support and guidance offered by the LA. The LA can impose additional requirements on those providers whose Ofsted inspection outcome is less than **Good** in order to improve the quality of provision.

### **Providers judged as Good (2) or Outstanding (1)**

Providers judged as **Good** or **Outstanding** by Ofsted will continue to be eligible to deliver early education places to two, three and four year olds. The LA will continue to secure information, advice and guidance to all early year's providers judged to be **Good** or better. Access to training delivered directly or commissioned by the LA is voluntary for these providers. However the LA recommends that all providers continue to access ongoing training to ensure the provider is kept up to date with current legislation and practice and that the quality of the provision is maintained.

### **Providers judged as Requires Improvement (3)**

Providers judged as **Requires Improvement** by Ofsted will continue to be eligible to deliver the **universal** early education places for **three and four year old children** provided they continue to work closely with the Childcare Advisor(s) to address the actions raised in the provider's latest Ofsted inspection report. For those children who are accessing the addition 15 hours, (**30 hours funding**) they can receive the first 15 hours at the setting but for the second half of the funding they must access this at a setting graded as Good or Outstanding.

The LA will only fund eligible **two-year-old children** and 3 and 4 years olds in provision judged as **Requires Improvement** where there is insufficient, accessible **Good** or **Outstanding** provision in the local area. To ascertain if alternative places are available the LA will carry out a childcare sufficiency assessment of the alternative provision in the surrounding area and will only agree to continue to fund any eligible children with a provider who has been judged as **Requires Improvement** if no other suitable alternative places can be found, or where the parent has provided written confirmation for the child to continue to access the funded hours.

The advisors from the Childcare Team will work intensively with providers judged as **Requires Improvement** to support them to improve and become **Good** or **Outstanding**. Providers are required to work in collaboration with their Childcare Advisor(s) to develop a Focus Improvement Plan (PVI settings) or with their Childminding and OSS advisor(s) to complete a Programme of Support. Providers who fail to engage with the Childcare Team to improve the quality of the provision will be given notice of the termination of their funding agreement to deliver funded early education places and Ofsted will be notified that the LA are unable to carry out their statutory duty.

### **Providers judged as Inadequate/Not Met (4) or issued with Enforcement Actions**

Providers judged by Ofsted as **Inadequate/Not Met** or issued with **Enforcement Actions** will be removed from the LA's Directory of Providers.

Following the receipt of written notification by Ofsted that a provider has been judged as **Inadequate** or has been issued with **Enforcement Actions**, the LA will take steps to secure alternative provision and withdraw funding, as soon as practicable, for all children who are already receiving their funding entitlement. The LA will not fund any new two,



three or four year olds with that provider until they have been re-inspected or Enforcement Actions removed.

Once written notification of an **Inadequate judgment/Not Met** or **Enforcement Actions** has been issued the provider must write to all parents of existing funded children to advise them of the Ofsted inspection outcome and to inform them that their funded place at the setting is now at risk of being withdrawn. Parents must also be made aware that Ofsted will re-inspect the provision within six months of an **Inadequate** judgement being confirmed, or may receive monitoring visits if issued with **Enforcement Actions**. Providers must offer parents the opportunity to transfer to alternative provision which has been judged by Ofsted to be of higher quality. (This information can be sourced via Informed Families). Parents must provide written confirmation should they wish to continue to access their child's funded sessions at the same provision in order for their child's funding to continue. A copy of the letter and the parents' written confirmation must be provided to Enfield's Early Years' Service within 14 working days to ensure continued funding.

If a childminder receives an Ofsted judgement of **Not Met** the LA will not fund any 2, 3 and 4-year-old children accessing the provision, and the LA will provide parents with details of alternative provision in the area.

Providers are required to work in collaboration with their assigned Childcare Advisor(s) to develop a Focus Improvement Plan (PVI settings) or to complete a Programme of Support (Childminders). Both forms of support must address the actions/recommendations raised in the Ofsted inspection report and providers must explicitly show that they are using the support provided by the LA effectively to improve the quality of their provision.

If the LA has sufficient evidence that a provider has failed to address the actions raised within the Ofsted report or Enforcement Actions and/or highlighted in the Focus Improvement Plan/Programme of Support within six months of receiving confirmation from Ofsted of an **Inadequate/Not Met** judgment/**Enforcement Actions** or receives a second **Inadequate/Not Met** judgement following a second inspection, the provider will be given notice of the termination of their contract and will be removed from the Directory of Providers.

Once the LA is informed by Ofsted of a **second** Inadequate judgement, funding for any two, three and four-year-old children will stop. The funding will remain in place until the end of the term when the inspection took place to allow parents time to find alternate provision. We will notify all parents and help find alternative provision for these children as soon as practicable. If a parent wishes their child to remain in a setting issued with a further inadequate judgement, they will have to pay for the place directly. While the setting remains inadequate we will not refer any children to it and the setting will not be able to claim for any funded children during this period.

Providers judged by Ofsted as **Inadequate/Not Met** must be removed from the Directory of Providers and return any Enfield Council Marketing materials and advertising regarding Terrific Two's Funding to the School and Early Years Improvement Service. Providers will only be eligible for re-entry onto the Directory of Providers following an Ofsted judgement of at least Requires Improvement

## **Evidence of Impact**

Monitoring data across Enfield shows that the quality of providers has improved considerably over the past 24 months, with a significant reduction in the number that Ofsted have judged as less than **Good**. There is evidence to suggest that those providers who work closely with the Childcare Team are more likely to improve their outcome at their next Ofsted inspection.

## **Ofsted Inspection Outcomes**

### **Raise outcomes for children in line with National Data March 2018**

Enfield Childminders Data:

Outstanding **16%**

Good: **75%**

Requires Improvements & Not Met: **7%**

Inadequate: **2%**

Enfield Nurseries/Preschools Data:

Outstanding: **13%**

Good: **79%**

Requires Improvements: **6%**

Inadequate: **2%**

## **Differentiated levels of support offered to providers:**

### **Outstanding (1) / Good (2)**

- Access to assigned Childcare Advisor(s)
- Schedule of support visits, plus additional unannounced visits (PVI only) from Childcare Advisor(s) to support implementation of improvements and monitor progress
- Review of latest Ofsted inspection report/recommendations
- Annual review of current Safeguarding and Welfare requirements and implementation of a Focus Improvement Plan to address any recommendations where required.
- Access to the Early Years CPD training programme
- Access to support from a Childcare Advisor during Ofsted inspection feedback (PVI only)
- Access to advice and guidance when working with children who have SEN&D
- Access to advice and guidance regarding workforce development

***\*Any safeguarding concerns or breach of regulations will supersede the funding agreement and support from the Childcare Team will be mandatory.***

### **Requires Improvement (3)**

- Initial visit by the Childcare Advisor(s) regarding the implications of the Ofsted outcome for the free entitlement funding including the placing of funded two year olds
- Identification of Ofsted actions which will feed into the setting's Focus Improvement Plan (PVI) or Programme of Support (Childminders)
- Schedule of support visits, plus additional unannounced visits from Childcare Advisor(s) to support implementation of improvements and monitor progress
- Access to the Early Years CPD training programme

- Bespoke training sessions (on request) linked to the setting's Focus Improvement Plan (PVI)
- Access to support from a Childcare Advisor during Ofsted inspection feedback (PVI only)
- Access to advice and guidance when working with children who have SEN&D
- Access to advice and guidance regarding Childcare workforce development

#### **Inadequate/Not Met (4)**

Strategic meeting between provider, Head of Curriculum Standards/School Improvement, Childcare Team Manager and Childcare Advisor to review the quality of provision and the implications of the free entitlement funding including the placing of funded two, three and four year olds including brokerage service depending on parental choice to remain or wish to access another provision. (PVI only)

The LA will send a letter to the provider within 14 working days from the date of the strategy meeting; who must then give this to all parent/carers. Parents must sign and confirm their choice. If they chose to remain at the setting, this letter confirms the parent/carer gives consent to the continued access for their funding at this setting.

- Initial visit by the Childcare Team Advisor(s) to discuss Ofsted actions which will form part of the setting's Focus Improvement Plan and which will be shared at an LA 'Team Around the Setting' strategic meeting
- Schedule of visits, plus additional unannounced visits, from Childcare Team Advisor(s) to support implementation of improvements and monitor progress
- Review of SEF and Evaluation Schedule
- Access to the Early Years CPD training programme
- Bespoke training sessions (on request) linked to the setting's Focus Improvement Plan
- Access to support from a Childcare Advisor during Ofsted inspection feedback (PVI only)
- Access to advice and guidance for children with SEND
- Access to advice and guidance regarding workforce development

#### **Proposed and New Providers (PVI/childminders and out of school provision)**

- Access to the setting's assigned Childcare Team of Advisor(s)
- Safeguarding and Welfare requirements annual review visit which will form part of setting's Focus Improvement Plan (PVI)
- inspection
- Completion of the Childminding EYFS Review (CM's)
- Schedule of support visits, plus additional unannounced visits, to prepare for Ofsted registration visit (PVI)
- Access to the Early Years CPD training programme
- Bespoke training sessions (on request) linked to the setting's Focus Improvement Plan (PVI)
- Access to support from a Childcare Advisor during Ofsted inspection feedback (PVI only)
- Access to advice and guidance when working with children who have SEN&D
- Access to advice and guidance regarding workforce development

## **Complaints**

Enfield Council is committed to providing a high quality service. However, it is acknowledged that, occasionally, customers may have cause to complain. All complaints received will be fully investigated in line with the Council's complaints procedure. In such instances action will be taken to remedy any failures and the School & Childcare Improvement Service will ensure that any lessons learned are used as part of our continued drive towards service improvement.

Complaints may, for example, be about:

- The fairness or professionalism of interaction with officers
- Failure to do something we should have done
- Refusal to provide a service or delivery of poor service
- Failure to follow the correct policy or procedure

The following will not be considered under the Council's complaint procedure:

- Initial request for a service
- Requests for information
- Staff grievances
- Disagreement with Council policy or decisions.
- Matters that would be more appropriately considered by an insurer.
- Matter subject to a legal right to appeal or a review
- Cases in court proceedings or investigations by other appropriate bodies (e.g. Police)
- Matters upon which a Court, Tribunal or Appeal body has already ruled.
- Vexatious complainants (Please refer to the Vexatious and Persistent Complaints Policy)

## **Early Resolution**

Our priority is to resolve concerns and complaints as soon as they come to our attention. We therefore expect customers to first approach the team or person responsible for delivering the service that they are unhappy with so that the matter can be addressed.

In the first instance the complaint is investigated and responded to by an appropriate officer from the service concerned. This would usually be the person who has direct responsibility for the staff involved or the issue complained about. At this point, we will seek to clarify the complaint (if appropriate), together with the expectations and remedy sought from the complainant.

We will acknowledge the matter within 2 working days. From this point the response time frame will commence. The response will be provided as soon as possible and within 10 working days of the acknowledgement.

If the response will not be completed within this timeframe, we will contact the complainant to let them know and advise when we are able to respond by. For complex cases, the 10- day time frame mentioned may be extended for up to a further 10 working days.

In the vast majority of cases a written response will be provided to the complainant. However, in some cases, it may be more appropriate to first respond verbally (via telephone or face-to-face), followed by a written confirmation of the conversation and outcome. The response will clearly state what decision has been reached regarding the complaint.

Where attempts for resolution with the relevant person or team have been unsuccessful, then the complaint will be handled under the two-stage process. The timescales for handling complaints are outlined on Appendix A. <https://new.enfield.gov.uk/contact-us/are-you-unhappy-with-something/enfield-council-information-complaints-policy.pdf>

[http://enfieldeye/downloads/download/2672/complaints\\_policy\\_and\\_procedures](http://enfieldeye/downloads/download/2672/complaints_policy_and_procedures)